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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 31, 2003

Dr. Inés Triay, Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Dr. Steven Warren, President
Washington TRU Solutions, LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: NMED APPROVAL OF THE LOS ALAMOS NATIONAL LABORATORY FINAL AUDIT
REPORT, AUDIT A-03-07
WASTE ISOLATION PILOT PLANT
EPA I.D. Number NM4890139088**

Dear Dr. Triay and Dr. Warren:

On December 26, 2002, NMED received the Final Audit Report of the Los Alamos National Laboratory (LANL) Audit Number A-03-07 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (CBFO). CBFO and Washington TRU Solutions LLC (**the Permittees**) were required to submit this Audit Report under the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit as specified in Permit Condition II.C.2.c. The intended scope of this audit was to evaluate the adequacy, implementation, and effectiveness of the LANL waste characterization processes for manually obtaining samples of headspace gas in Summa canisters for subsequent analysis by the Idaho National Engineering and Environmental Laboratory (INEEL) relative to the requirements of the WIPP Permit. The Audit Report consisted of the following items:

- A narrative report
- Completed copies of relevant Permit Attachment B6 checklists
- Final LANL standard operating procedures (electronic and hardcopy)
- Objective evidence examined during the audit for manual headspace gas sampling

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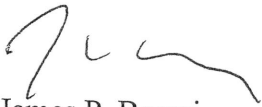


NMED representatives observed portions of the LANL audit held on October 29 – 31, 2002. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan [WAP]). The Audit Report indicates there were no WAP-related conditions adverse to quality requiring the issuance of CBFO corrective action reports; one deficiency requiring only remedial actions that was corrected during the audit; two observations identifying conditions that, if not controlled, could result in conditions adverse to quality; and one recommendation identifying opportunities for improvement.

NMED concludes that this Audit Report demonstrates that LANL has adequately implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for LANL Audit A-03-07 for the certification of manual headspace gas sampling at LANL, and amends the previous Audit Report approval for Audit A-02-30 issued by NMED on January 30, 2003 to include the waste forms and processes evaluated by this audit. NMED notes that LANL may be putting their characterization program at risk if the INEEL headspace gas analysis program is ever found to be seriously deficient during an audit or loses certification authority.

If you have any questions regarding this matter, please contact me at (505) 428-2512.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

Attachment

cc: **Steve Zappe, NMED HWB**
Tracy Hughes, NMED OGC
Laurie King, EPA Region 6
Betsy Forinash, EPA ORIA
Connie Walker, Trinity Engineering
Matthew Silva, EEG
Don Hancock, SRIC
Joni Arends, CCNS
Lindsay Lovejoy, NMAGO
File: Red WIPP '03

NMED COMMENTS ON THE
LOS ALAMOS NATIONAL LABORATORY (LANL)
FINAL AUDIT REPORT A-03-07

- NMED notes that the B6 checklist, an integral element of the Audit Report, contained incorrect sources, information, and typographical errors.
1. With reference to the B6 Checklist of the audit report, item # 8 references LANL WIPP procedures DTP-1.2-064 (Waste Characterization Data Reconciliation with Acceptable Knowledge and Acceptable Knowledge Accuracy Reporting), Section 6.3 and DTP-1.1-074 (Manual Headspace Gas Sampling of LANL TRU Waste Containers for Analysis by INEEL), Revision 1 as the location for insuring that the following parameters will be characterized. However, the section referenced in DTP-1.2-064 does not mention any items in question subsections A, B, C or D. Also, there is actually no DTP-1.1-074, Revision 1 in the audit report. This appears to be a typographical error.
 2. With reference to the B6 Checklist of the audit report, item # 37 under the “Procedure Documented” column, sub column “Adequate” refers to A-I. Only A-H is listed under the “WAP Requirement” column. Is this a typo in the “Adequate” column?
 3. With reference to the B6 Checklist of the audit report, Items 53, 56a, 58, and 60 generally deal with the Characterization Information Summary (CIS) and include the following statement in the Comment field:

“CBFO has not requested a Waste Stream Characterization Package (WSCP) from LANL to date.”

The WSCP is irrelevant to completion of the CIS, and as such the comment is not necessary. However, Checklist Items 61 and 62 dealing with completing and submitting as Waste Stream Profile Form (WSPF) have the same comment but are listed as “N/A” under the “Procedure Documented” and “Example of Implementation/ Objective Evidence” fields. NMED fails to understand how the procedures associated with the final critical step for a generator site to ship waste to WIPP (submitting a WSPF to the Permittees for approval) can be identified as “not applicable” during an audit.